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**UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

AMERICAN CIVIL LIBERTIES  
UNION FOUNDATION OF  
SOUTHERN CALIFORNIA,  
*Plaintiff,*

v.

UNITED STATES IMMIGRATION  
AND CUSTOMS ENFORCEMENT,  
UNITED STATES DEPARTMENT  
OF HOMELAND SECURITY,  
*Defendants.*

Case No. 2:22-CV-04760-SHK

**DECLARATION OF KYLE  
VIRGIEN IN SUPPORT OF  
PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT AGAINST  
DEFENDANT IMMIGRATION  
AND CUSTOMS ENFORCEMENT**

Honorable Shashi H. Kewalramani  
United States Magistrate Judge

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27 *ACLU of Southern California v. U.S. ICE, et al.,*  
28 Case No. 2:22-CV-04760-SHK  
DECLARATION OF KYLE VIRGIEN

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3 I, Kyle Virgien, declare as follows:

4 1. I am counsel for Plaintiff ACLU of Southern California in the above-  
5 captioned matter. I submit this declaration in support of Plaintiff's Motion for  
6 Summary Judgment against Defendant Immigration and Customs Enforcement  
7 (ICE). I have personal knowledge of the facts set forth below, and if called as a  
8 witness, I could and would competently testify thereto.

9 2. On April 19, 2024, ICE produced a spreadsheet as part of its monthly  
10 document productions in this case. Exhibit A to this declaration is an excerpt that I  
11 created from this spreadsheet, excerpting rows of the spreadsheet for José Ibarra  
12 Bucio that contain medical codes related to critical care (code "99291"), transport  
13 by medical helicopter (code "A0431"), and transport by advanced life support  
14 ambulance (code "A0427"). The original spreadsheet contained five tabs of data—  
15 one for each of Teka Gulema, Johana Medina Leon, and Mr. Ibarra Bucio, and two  
16 for Martin Vargas Arellano. To create this excerpt, I selected the tab for Mr. Ibarra  
17 Bucio, and I used Excel's filter function to show only rows where the code listed in  
18 the "Procedure Code" column was "99291," "A0431," or "A0427." I then printed  
19 the resulting rows to PDF.

20  
21 I declare under penalty of perjury under the laws of the United States of America  
22 that the foregoing is true and correct.

23 Executed on February 26, 2025, at Kensington, California.

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25   
26 Kyle Virgien